

September 13, 2012

Clarifying Public Comments to the CASAC Panel

Good morning, I am Ted Steichen of the American Petroleum Institute and I appreciate this opportunity to provide clarifying comments to the CASAC Panel. I want to thank the panel members that were able to stay until now and I will briefly cover two points.

Dr. Samet already made my first comment when he talked about the concerns regarding the schedule of these NAAQS reviews. I have been personally attending CASAC meeting and conference calls for 5 years and the American Petroleum Institute has participated in this process since its inception. In my experience, I have found the work products developed by EPA to be professional, though the completeness is sometimes compromised by the schedule.

I believe CASAC members don't relish commenting that parts of the documents reviewed here are not of good quality, nor do I expect the staff appreciates receiving that feedback. I suggest that CASAC provide to the Administrator your sense that the amount of work remaining on the REA and PA makes the current plan for CASAC to meet only once more on these documents inadequate.

As Dr. Martin mentioned earlier today when reviewing some of the litigation history on the NAAQS, the Courts have made note of CASAC's opinions. As the Agency may face challenges to speed up the review of the ozone NAAQS, CASAC's statements could support the Administrator when arguing for adequate time to complete this NAAQS review.

Secondly, I asked Dr. Nugent to distribute the first page of the CASAC charter as it highlights the responsibilities of the panel as specified by Congress.

Objectives and Scope of Activities:

The CASAC is identified as a scientific/technical advisory committee. As required by CAA section 109(d), the CASAC will:

- a. review the criteria published under section 108 of the Clean Air Act and the national primary and secondary ambient air quality standards and recommend to the Administrator any new national ambient air quality standards and revisions of existing criteria and standards as may be appropriate;
- b. advise the Administrator of areas in which additional knowledge is required to appraise the adequacy and basis of existing, new, or revised national ambient air quality standards;
- c. describe the research efforts necessary to provide the required information;
- d. advise the Administrator on the relative contribution to air pollution concentrations of natural as well as anthropogenic activity; and
- e. advise the Administrator of any adverse public health, welfare, social, economic, or energy effects which may result from various strategies for attainment and maintenance of such national ambient air quality standards.

I call your attention to item d.), at the bottom of the page where CASAC is charged with providing advice about the relative contributions of both natural and anthropogenic emissions.

CASAC has duties beyond simply answering the charge questions provided by the Agency. In item e.), there is the expectation to look into the adverse impacts on public health of possible NAAQS attainment strategies.

I ask Dr. Samet, in his final letter to the Administrator as Chair, to indicate just how these duties will be discharged by CASAC. If one were to investigate the record of CASAC activities there would be little recent evidence that all of this work was undertaken.

So in summary, I request that CASAC state to the Administrator, that more time is needed to complete this ozone NAAQS review and to also identify how all of the duties of CASAC can be completed.

Thank you very much for this opportunity to provide these comments.